

House File 115 - Introduced

HOUSE FILE 115

BY HAGENOW

A BILL FOR

1 An Act relating to considering the educational setting of a
2 minor child in a child custody proceeding.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.10, subsection 1, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *c.* The court shall consider the educational
4 setting of any minor child in making a temporary order for
5 custody. There is a rebuttable presumption that it is in the
6 best interest of the minor child to remain in the educational
7 setting in which the minor child was enrolled during the school
8 year immediately preceding or in which the minor child is
9 enrolled at the time of the entry of any temporary order for
10 custody.

11 Sec. 2. Section 598.41, subsection 3, Code 2011, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *k.* The educational setting of any minor
14 child. There is a rebuttable presumption that it is in the
15 best interest of the minor child to remain in the educational
16 setting in which the minor child was enrolled during the school
17 year immediately preceding or in which the minor child is
18 enrolled at the time of the entry of any order for custody.

19 EXPLANATION

20 This bill provides that in determining temporary or final
21 custody orders for a minor child, the court is to consider the
22 educational setting of any minor child. The bill provides
23 that there is a rebuttable presumption that it is in the best
24 interest of the minor child to remain in the educational
25 setting in which the minor child was enrolled during the school
26 year immediately preceding or at the time of entry of the
27 temporary or final custody order.